

MINUTES
HOUSING AND COMMUNITY DEVELOPMENT COMMISSION (HCDC)
Meeting – November 11, 2010
Fresno City Hall, Room 2165 A - 2nd Floor
2600 Fresno Street
Fresno, California 93721

A. CALL TO ORDER

With a quorum being present, the meeting was called to order by Vice Chair Rodriguez at 5:06 p.m.

Commissioners

Present:	Rogenia Cox, CHAIR (arrived 5:12) Armando Rodriguez, VICE-CHAIR Jeffrey Harrington, Commissioner Bobby Bliatout, Commissioner (left 7:35) Izzy Einsidler, Commissioner Sandy Cha, Commissioner	Absent: Jas Singh, Commissioner
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Staff

Present:	Claudia Cázares, Manager Housing and Community Development Erica Castaneda, Recording Secretary	Absent: Craig Scharton, Director Downtown and Community Revitalization
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B. COMMUNICATIONS

None

C. APPROVAL OF MINUTES

Minutes of October 13, 2010 were approved as presented.

D. GENERAL ADMINISTRATION

1. RECOMMEND APPROVAL TO AWARD A \$391,451 CONSTRUCTION CONTRACT TO AGEE CONSTRUCTION FOR CAPITAL IMPROVEMENTS TO THE WILLOW BRIDGE, AND AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE THE CONTRACT

Randy Bell, Public Works Department, provided the report to Commissioners. No questions or comments followed.

Motion: Motion was made to recommend approval of item D1 by Commissioner Harrington

Second: Commissioner Einsidler seconded the motion.

Ayes: Rodriguez, Harrington, Bliatout, Einsidler, Cha

Noes: None

Abstain: None

2. CONSIDER RECOMMENDING THAT AGENCY BOARD AWARD CONTRACT TO THE LOWEST RESPONSIBLE BIDDER FOR THE DEMOLITION AND CLEARANCE OF THE FORMER FUSD MAINTENANCE YARD (717 S. 7TH STREET) AND RESIDENTIAL PROPERTY (3745 EL MONTE WAY) LOCATED IN SOUTHEAST FRESNO. (BID FILE NO. 3026)

Enrique Mendez, Redevelopment Agency, provided the report to Commissioners. Vice Chair Rodriguez inquired about the bid process. Mr. Mendez explained that the lowest bid was 42% below the Agency's estimate. Mr. Bliatout inquired about the reduction of costs list provided in the staff report. The bid specification was prepared to include the demolition of the entire site, as well as the entire site with the exclusion of one building. Commissioner Harrington inquired about the effect change orders have on the total project costs. Mr. Mendez explained that the City's Construction Management Department will oversee the project. No public comment followed.

Motion: Motion was made to recommend approval of item D2 by Commissioner Harrington

Second: Commissioner Bliatout seconded the motion.

Ayes: Rodriguez, Harrington, Bliatout, Einsidler, Cha

Noes: None

Abstain: None

3. CONSIDER RECOMMENDING THE CITY COUNCIL APPROVE AND ADOPT THE PROPOSED AMENDMENTS TO TWO (2) REDEVELOPMENT PLANS IN THE MERGER NO. 2 PROJECT COMPRISED OF THE FRUIT/CHURCH AND SOUTHWEST FRESNO GENERAL NEIGHBORHOOD RENEWAL AREA ("CONSTITUENT PROJECT AREAS" OR "CONSTITUENT REDEVELOPMENT PLANS").
 1. RECOMMEND THAT THE FRESNO CITY ("CITY") COUNCIL ("COUNCIL") AND FRESNO REDEVELOPMENT AGENCY BOARD ("AGENCY BOARD" OR "BOARD") CERTIFY THE FINAL SUBSEQUENT ENVIRONMENTAL IMPACT REPORT ("FSEIR") FOR THE MERGER NO. 2 PROJECT.
 2. RECOMMEND THAT THE COUNCIL AND AGENCY BOARD CONSIDER ADOPTING AN APPROPRIATE STATEMENT OF OVERRIDING CONSIDERATIONS BECAUSE SIGNIFICANT, UNAVOIDABLE ENVIRONMENTAL IMPACTS MAY RESULT FROM THE MERGER NO. 2 PROJECT.
 3. RECOMMEND THAT THE CITY COUNCIL ADOPT BY ORDINANCE THE PROPOSED MERGER NO. 2 REDEVELOPMENT PLAN AMENDMENTS.

Jerry Freeman, Redevelopment Agency, provided the report to Commissioners. Mr. Freeman provided background information on the project. Mr. Freeman explained the process to determine if an amendment to the merger is necessary and explained that information regarding the use of tax increment funds is available for public review. Vice Chair Rodriguez questioned the repetition in the letters of support. Mr. Freeman explained that the Redevelopment Agency did not write the letters of support, however a sample letter was provided to those that requested a sample format. Commissioner Harrington inquired about the County's letter regarding tax increment levels. Mr. Freeman explained that a review of project activities was done to determine what projects would eradicate blight over the extended amount of time. It was determined that an increase in the proposed tax increment cap was necessary to carry out activities. Rose Howell, member of the community expressed concerns regarding accountability for the use of funds and the lack of communication between the Agency and the community. Mr. Freeman explained that the Agency goes through an independent audit on each project yearly. The information is made available to the public and filed with the State. Commissioner Harrington inquired about the guarantee for Citizens regarding the use of tax increments in their community. Mr. Freeman explained that the auditor verifies that the funds are used in the intended area. Brunette Harris, HEAT, requested that HCDC not recommend the item to Council. Ms. Harris is concerned with the lack of input the community has on projects. Claudia Cazares and Lupe Perez assisted in translating for Cruz Elena Silva. Ms. Silva is hearing impaired and Spanish speaking. Ms. Silva stated that information regarding the item has not been made available in Spanish and is concerned with eminent domain. Mr. Freeman stated that certified translators have been available at public information meetings and notifications mailed to residents advising the public that requests for translation are available by calling the Agency. Ezelle Coleman expressed concerns regarding the lack of development in the community, incorrect information provided in reports and lack of communication. Commissioner Harrington reiterated that owner occupied and/or legally occupied homes cannot be taken by eminent domain. Mr. Freeman explained that the item before the Commission is to update the plan and not an eminent domain process. Commissioner Bliatout requested that Mr. Freeman explain the measure of quality used to determine if improvements have benefited the community. Mr. Freeman explained that project information was provided by power point at public meetings. Commissioner Cha and Commissioner Einsidler suggested Council and the Agency engage the community more effectively. Chair Cox recused herself from voting on the item due to ownership of property in the 93706 area.

Motion: Motion was made to recommend approval of item D3 by Commissioner Einsidler. HCDC will provide a letter to Council regarding concerns raised by the public and recommendations on how to address those concerns.

Second: Commissioner Bliatout seconded the motion.
Ayes: Rodriguez, Harrington, Bliatout, Einsidler, Cha
Noes: None
Abstain: None

4. CONSIDER RECOMMENDING THAT THE REDEVELOPMENT AGENCY ADOPT A RESOLUTION APPROVING THE PROPOSED FIVE-YEAR IMPLEMENTATION PLAN FOR THE MERGER NO. 2 PROJECT

Jerry Freeman, Redevelopment Agency provided the report to Commissioners. Mr. Freeman provided background information. The subject Implementation Plan update expired in June 2010; a new five-year plan must be adopted in accordance with Redevelopment Law. The public hearing before the Agency board is scheduled for December 2, 2010. Commissioner Cha inquired about the financing methods available to the Agency in 2010-2015. Mr. Freeman explained that the Agency has projected \$19,644,451 in net tax increments. No public comments followed.

Motion: Motion was made to recommend approval of item D4 by Vice Chair Rodriguez

Second: Commissioner Cha seconded the motion.
Ayes: Cox, Rodriguez, Harrington, Bliatout, Einsidler, Cha
Noes: None
Abstain: None

5. CONSIDER RECOMMENDING THAT THE COUNCIL AND AGENCY BOARD ADOPT THE PLAN AMENDMENT FOR THE AIRPORT AREA REVITALIZATION REDEVELOPMENT PROJECT AREA AND TO APPROVE THE AMENDMENT'S INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION

David Martin, Redevelopment Agency, provided the report to Commissioners. Mr. Martin provided background information on the project. Eminent domain authority was established for a period of 12 years at the adoption of the plan in 1999 and may be extended by plan amendment for the same period of time. The ability to acquire non-residential property in areas B, C, and D of the project area, as well as undeveloped property in area A will be essential to the fulfillment of redevelopment plan goals. Vice Chair Rodriguez inquired about letters included with the staff report against the item. Mr. Martin explained that the Agency is in the process of meeting with landowners to address concerns. No public comments followed.

Motion: Motion was made to recommend approval of item D5 by Commissioner Harrington

Second: Commissioner Bliatout seconded the motion.
Ayes: Cox, Harrington, Bliatout, Einsidler, Cha
Noes: None
Abstain: Rodriguez

6. RECOMMEND THAT THE AGENCY BOARD:
1. ADOPT A CEQA CATEGORICAL EXEMPTION PER STAFF DETERMINATION PURSUANT TO SECTION 15330/CLASS 30 OF THE CEQA GUIDELINES FOR THE CLEANUP PROJECT OF THE 317 CALIFORNIA AVENUE SITE;
 2. ADOPT A RESOLUTION AUTHORIZING THE AGENCY TO CLEANUP HAZARDOUS SUBSTANCES ON THE 317 CALIFORNIA AVENUE SITE PURSUANT TO THE HEALTH & SAFETY CODE;
 3. ACKNOWLEDGE THE EPA GRANT FUNDS; AND
 4. AWARD THE CONTRACT FOR THE CLEANUP OF THE 317 CALIFORNIA AVENUE SITE LOCATED IN THE SOUTHWEST FRESNO GNRA REDEVELOPMENT PROJECT AREA.

Enrique Bruque, Redevelopment Agency, provided the report to Commissioners. Mr. Bruque provided a power point presentation and background information on the project. Commissioner Einsidler inquired about the number of bids received. Mr. Bruque explained that the project specifications and drawings were distributed to 64 prospective bidders and 2 sealed bid proposals were received. Vice Chair Rodriguez inquired

about the matching funds for the project. Mr. Bruque explained that the grant requires a 20% match in funds. No public comment followed.

Motion: Motion was made to recommend approval of item D6 by Commissioner Cha

Second: Vice Chair Rodriguez seconded the motion.

Ayes: Cox, Rodriguez, Harrington, Bliatout, Einsidler, Cha

Noes: None

Abstain: None

7. RECOMMEND APPROVAL OF AN OWNER PARTICIPATION AGREEMENT (OPA) BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF FRESNO AND JOSE L. IBARRA AND IVETTE C. IBARRA, OR DESIGNEE, FOR THE DEVELOPMENT OF A NEW 37 UNIT RESIDENTIAL PROJECT LOCATED 1045 U STREET, LOCATED WITHIN THE URBAN RENEWAL PLAN FOR MARIPOSA PROJECT

Debra Barletta, Redevelopment Agency, provided the report to Commissioners. Ms. Barletta provided background information on the project. Ali Moghaddam, Concord Construction assisted in answering Commissioner's questions. Ms. Barletta handed out proposed elevations and a sample picture of the proposed project. Vice Chair Rodriguez inquired about the size of the lot. Mr. Moghaddam explained that the lot is 22,500 square feet in size and that parking will be located below the building. No public comment followed.

Motion: Motion was made to recommend approval of item D7 by Vice Chair Rodriguez

Second: Commissioner Einsidler seconded the motion.

Ayes: Cox, Rodriguez, Harrington, Einsidler, Cha

Noes: None

Abstain: None

8. CONSIDER RECOMMENDING THAT THE AGENCY BOARD APPROVE MATTERS OF AN OWNER PARTICIPATION AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF FRESNO, JAMES S. HARON, RANDY B. HARON, AND NORAH HOLDINGS LLC FOR APN 468-225-20 AND 21, 468-262-20 IN THE CONVENTION CENTER REDEVELOPMENT PROJECT AREA

Lupe Perez, Redevelopment Agency, provided the report to Commissioners. Ms. Perez provided background information on the project. A correction to the agenda was made to reflect a corrected APN: 468-262-20. The Owner Participation Agreement (OPA) contains a list of exterior improvements to bring each property into conformity with Redevelopment Plans. Vice Chair Rodriguez inquired about the exemption of some criteria in the OPA. Ms. Perez explained that at this time the owner is not prepared to propose site plans to expand the building. No public comment followed.

Motion: Motion was made to recommend approval of item D8 by Commissioner Einsidler

Second: Commissioner Harrington seconded the motion.

Ayes: Cox, Rodriguez, Harrington, Einsidler, Cha

Noes: None

Abstain: None

9. CONSIDER RECOMMENDING THE AGENCY BOARD AUTHORIZE THE EXECUTIVE DIRECTOR TO ENTER INTO A PURCHASE AND SALE AGREEMENT FOR THE PROPERTY LOCATED AT 1270 N. ABBY STREET (APNs 451-292-01, 02 & 28) OWNED BY RODRIGO SANDATE SAUCEDO AND MARIA R. SANDATE; AND TO TAKE ALL OTHER ACTIONS AS NECESSARY AND CONSISTENT WITH AGENCY BOARD APPROVAL. THE PROPERTY IS LOCATED WITHIN THE CENTRAL CITY COMMERCIAL REVITALIZATION PROJECT AREA

John Quiring, Redevelopment Agency, provided the report to Commissioners. Mr. Quiring provided background information on the project. The acquisition of the property will help reduce conditions of blight and lead to traffic circulation and safety improvements. Commissioner Einsidler inquired about the plan for renovation. Mr. Quiring explained that the goal is to assist existing development and attract new business development. No public comment followed.

Motion: Motion was made to recommend approval of item D9 by Vice Chair Rodriguez

Second: Commissioner Cha seconded the motion.

Ayes: Cox, Rodriguez, Harrington, Einsidler, Cha

Noes: None

Abstain: None

10. CONSIDER RECOMMENDING THE AGENCY APPROVE THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE REDEVELOPMENT AGENCY AND APPLE VALLEY FARMS, INC. AND AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE THE MOU

John Quiring, Redevelopment Agency, provided the report to Commissioners. Mr. Quiring provided background information on the project. The proposed expansion will require the support of public infrastructure facilities including road improvements, safety measures and blight removal. Vice Chair Rodriguez inquired about the financing of the project. Mr. Quiring explained that \$250,000 is only an estimate of the costs. No public comment followed.

Motion: Motion was made to recommend approval of item D10 by Commissioner Cha

Second: Commissioner Harrington seconded the motion.

Ayes: Cox, Rodriguez, Harrington, Einsidler, Cha

Noes: None

Abstain: None

11. RECOMMEND APPROVAL OF AN OWNER PARTICIPATION AGREEMENT (OPA) BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF FRESNO AND TFS INVESTMENTS, LLC FOR THE DEVELOPMENT OF A NEW 17 UNIT RESIDENTIAL PROJECT AT 541-545 NORTH FULTON STREET IN THE FREEWAY-99 GOLDEN STATE CORRIDOR REDEVELOPMENT PROJECT AREA

Debra Barletta, Redevelopment Agency, provided the report to Commissioners. Ms. Barletta provided background information on the project. Ms. Barletta made a correction to the report to reflect 17 residential units and not 20. Under the agreement's proposed terms a loan in the amount of \$870,000 would be made to the project and all 17 units would be designated with 55 year low-income covenant restrictions. Vice Chair Rodriguez inquired about the terms of the loan. Ms. Barletta explained that the loan is to be repaid in 20 years with no interest. Chris Fox, TFS Investments commented on other projects TFS is involved with in the area.

Motion: Motion was made to recommend approval of item D11 by Commissioner Einsidler

Second: Commissioner Cha seconded the motion.

Ayes: Cox, Rodriguez, Harrington, Einsidler, Cha

Noes: None

Abstain: None

12. CONSIDER RECOMMENDING THE REDEVELOPMENT AGENCY ADOPT AN OWNER PARTICIPATION AGREEMENT WITH BEAL DEVELOPMENT LLC, (APN 467-102-01) IN THE CHINATOWN EXPANDED REDEVELOPMENT PROJECT AREA:
1. REDEVELOPMENT AGENCY RESOLUTION, WAIVING CERTAIN OWNER PARTICIPATION CRITERIA AND APPROVING AN OWNER PARTICIPATION AGREEMENT WITH BEAL DEVELOPMENT LLC; AND
 2. AUTHORIZE THE EXECUTIVE DIRECTOR OF THE AGENCY TO EXECUTE THE OWNER PARTICIPATION AGREEMENT. – PRESENTATION BY REDEVELOPMENT AGENCY

Terry Cox, Redevelopment Agency, provided the report to Commissioners. Ms. Cox provided background information on the project and handed out a map of the location of the project, elevations and drawings of artwork. The Agency will provide plan and offsite improvements not to exceed \$94,051. Vice Chair Rodriguez inquired about the developer. Ms. Cox explained that John Beal with Beal Development LLC plans a \$2.2 million development that will enhance the exterior façade of the building. Commissioner Einsidler inquired about the artist. Ms. Cox informed Commissioners that the artist is Brandon Greer a local artist that uses

recycled material. No public comment followed.

Motion: Motion was made to recommend approval of item D12 by Vice Chair Rodriguez

Second: Commissioner Einsidler seconded the motion.

Ayes: Cox, Rodriguez, Harrington, Einsidler, Cha

Noes: None

Abstain: None

13. **CONSIDER RECOMMENDING AGENCY BOARD APPROVE THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE REDEVELOPMENT AGENCY AND DON PICKET AND ASSOCIATES INC. AND AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE THE MOU**

John Quiring, Redevelopment Agency, provided the report to Commissioners. Mr. Quiring provided background information on the project. The proposed development will require significant public infrastructure improvements in the Freeway 99/Golden State Corridor Project Area. The Agency will reimburse Don Pickett & Associates for 50% of public infrastructure costs, not to exceed \$1.7 million. The development will result in an increased assessed property valuation of \$45 million, contributing in excess of \$335,000 annually to the Agency in new tax increment. No public comment followed.

Motion: Motion was made to recommend approval of item D13 by Commissioner Harrington

Second: Commissioner Einsidler seconded the motion.

Ayes: Cox, Rodriguez, Harrington, Einsidler, Cha

Noes: None

Abstain: None

E. INFORMATIONAL REPORTS

None

F. COMMISSIONERS' ITEMS

None

G. UNSCHEDULED ORAL COMMUNICATIONS

None

H. ADJOURNMENT

Next Regularly Scheduled Commission Meeting: **December 8, 2010.**

There being no further business to bring before the Housing and Community Development Commission, the meeting adjourned at 8:30 p.m.

Attest: Rogenia Cox, Chair

Attest: Claudia Cázares, Manager
Housing and Community Development